

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TWYLA Y. ATWOOD,

Plaintiff,

vs.

Civ. No. 19-350 MV/KK

ANDREW SAUL, Commissioner
of the Social Security Administration,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Proposed Findings and Recommended Disposition that United States Magistrate Judge Kirtan Khalsa filed in this matter on January 3, 2020. (Doc. 29.) The parties have not filed any objections, and the time for doing so has expired. The Tenth Circuit has held that “a party’s objections to the magistrate judge’s report and recommendation must be both timely and specific to preserve an issue for de novo review by the district court or for appellate review.” *U.S. v. One Parcel of Real Property*, 73 F.3d 1057, 1060 (10th Cir. 1996). The parties’ failure to timely object to the Magistrate Judge’s Proposed Findings and Recommended Disposition waives appellate review of both factual and legal questions. *In re Key Energy Res. Inc.*, 230 F.3d 1197, 1199–1200 (10th Cir. 2000); *One Parcel of Real Property*, 73 F.3d at 1059.

IT IS THEREFORE ORDERED as follows:

1. The Magistrate Judge’s Proposed Findings and Recommended Disposition (Doc. 29) are ADOPTED;

2. Plaintiff's Motion to Reverse or Remand Administrative Agency Decision and Amended Motion to Remand Administrative Agency Decision (Docs. 18, 19) are GRANTED and this matter is REMANDED to the Commissioner pursuant to sentence six of 42 U.S.C. § 405(g); and,

3. Plaintiff's Motion to Supplement Administrative Record (Doc. 21) and Request for Telephonic Hearing (Doc. 23) are DENIED AS MOOT.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Martha Vázquez', is written over a horizontal line.

MARTHA VÁZQUEZ
UNITED STATES DISTRICT JUDGE